



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: April 24, 2014

Initiated By: Sara Ott, Sr. Project Manager

Re: Ordinance 29-14 – Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.016 Acre, More or Less, Permanent Easement and 0.047 Acre, More or Less, Temporary Easement From Elizabeth Miller, for the Property Located at 367 South High Street for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project, and Declaring an Emergency.

Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Rings Road and Waterford Drive (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

The City must obtain property interests from for the construction of the Project from Elizabeth Miller (the "Grantor"). After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire these necessary property interests pursuant to the terms outlined in this memorandum.

Acquisition

The City will be acquiring from the Grantor only those property interests necessary for the construction of the Project as depicted in the legal description and map attached to this memorandum. The City will be acquiring these property interests for their appraised value. The acquisition is detailed below:

| Property Interest Acquiring | Acres | Appraised Value |
|--|-------|-----------------|
| Permanent Utility, Grading and Drainage Easement | 0.016 | \$3,325 |
| Temporary Construction Easement | 0.047 | \$2,075 |
| Landscaping, Vegetation and Trees | — | \$1,500 |
| Total | | \$ 6,900 |

Recommendation

Ordinance 29-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends Council dispense with the second reading/public hearing and approve Ordinance 29-14 by emergency on April 28, 2014 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. **29-14**

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.016 ACRE, MORE OR LESS, PERMANENT EASEMENT AND 0.047 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM ELIZABETH MILLER, FOR THE PROPERTY LOCATED AT 367 SOUTH HIGH STREET FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Dublin Road (the "Project"); and

WHEREAS, said Project requires that the City obtain certain property interest within Franklin County Parcel No. 273-000157 owned by Elizabeth Miller (the "Grantor"), said property interest more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto; and

WHEREAS, the City and the Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of Six Thousand Nine Hundred Dollars (\$6,900.00); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantor.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire a 0.016 acre, more or less, permanent easement, as well as a 0.047 acre, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Elizabeth Miller, for the sum of Six Thousand Nine Hundred Dollars (\$6,900.00), said property interest located within Franklin County Parcel No. 273-000157, and more fully described and depicted in the attached Exhibits "A" and "B."

Section 2. This Ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that obtaining the property interests is necessary for the advancement of this project. The ordinance shall therefore take effect immediately upon passage.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

CIP 1 of 1
PARCEL 08-009
PROJECT 32-P
Version Date DUBLIN MUP 11/01/13

**PARCEL 32-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 8 of the subdivision entitled SOUTH CIVIC ADDITION, as recorded in Plat Book 22, Page 71, and as conveyed to Elizabeth S. Miller, by deed of record in Instrument Number 200101180011712, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin found marking the southeast corner of said Lot 8 in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 162+14.16;

Thence North 85 deg. 07 min. 37 sec. West, a distance of 8.32 feet along the southerly line of said Lot 8, to a point being 38.00 feet left of centerline station 162+11.85;

Thence North 20 deg. 43 min. 23 sec. East, a distance of 85.49 feet across said Lot 8 to a point in the northerly line of said Lot 8, being 38.00 feet left of centerline station 162+97.37;

Thence South 85 deg. 07 min. 37 sec. East, a distance of 8.32 feet along the northerly line of said Lot 8, to the northeast corner of said Lot 8, being 30.00 feet left of centerline station 162+99.64;

Thence South 20 deg. 43 min. 23 sec. West, a distance of 85.49 feet along the easterly line of said Lot 8, and along the existing westerly right-of-way line of Dublin Road, to the **Point of Beginning**, containing 0.016 acres, more or less.

Of the above described area, 0.016 acres are contained within Franklin County Auditor's Parcel 273-000157.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 200101180011712, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 11/13/13
Registered Surveyor No. 7191 Date

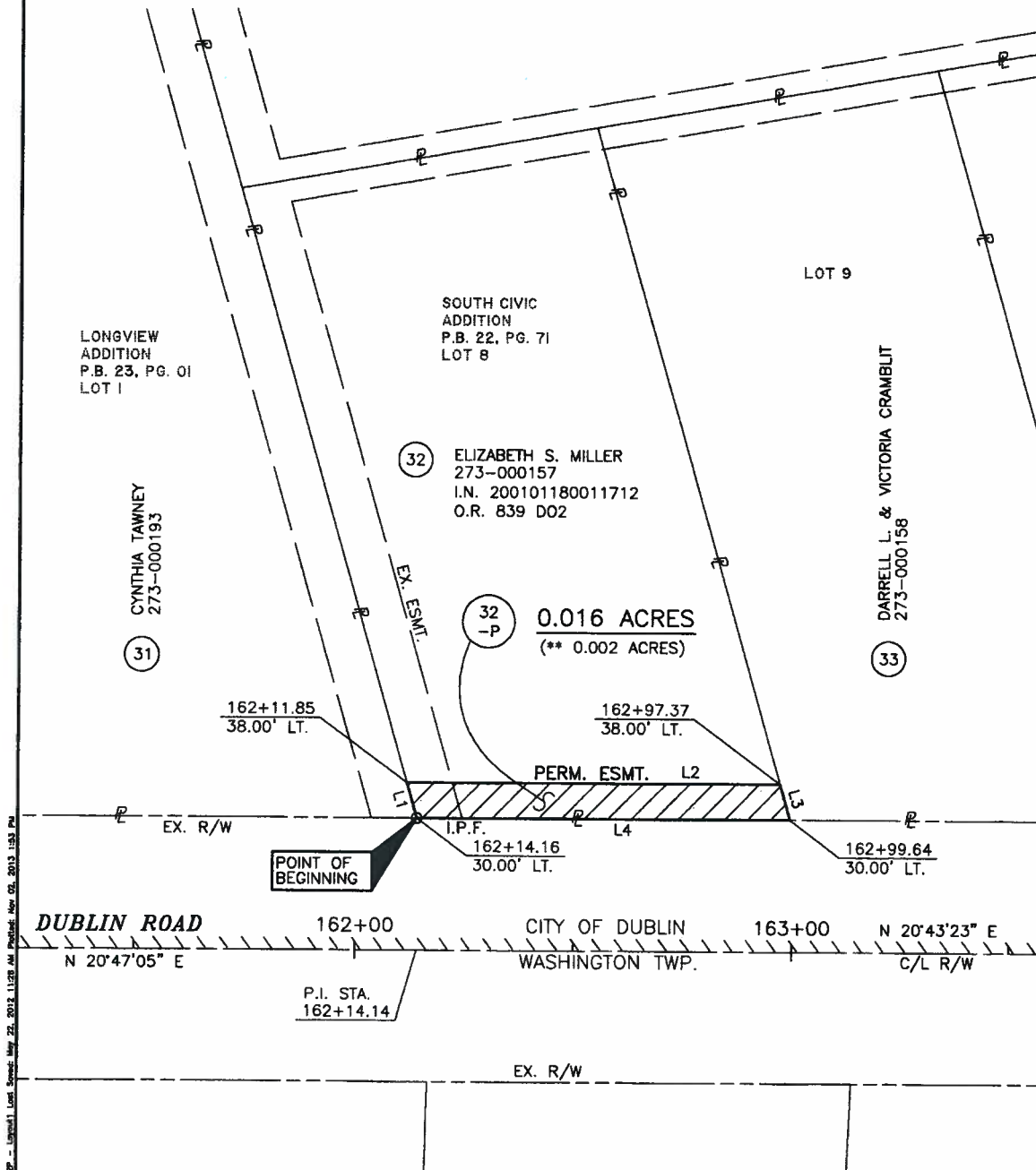
** PORTION OF THE PROPOSED EASEMENT
LYING WITHIN AN EXISTING EASEMENT

EXHIBIT B



MONUMENT LEGEND

- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L1 | N 85°07'37" W | 8.32' |
| L2 | N 20°43'23" E | 85.49' |
| L3 | S 85°07'37" E | 8.32' |
| L4 | S 20°43'23" W | 85.49' |

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



PARCEL 32-P
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



SCALE IN FEET
Prepared By



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Steven E. Rader
Registered Surveyor #7191

11/3/13
Date

2013, STANTEC CONSULTING SERVICES, INC. ALL RIGHTS RESERVED. MAY 22, 2013, 11:28 AM. PROJECT: NEW 02, 2013, 11:53 PM.

EXHIBIT A

| | |
|--------------|------------|
| CIP | 1 of 2 |
| PARCEL | 08-009 |
| PROJECT | 32-T |
| Version Date | DUBLIN MUP |
| | 05/18/12 |

**PARCEL 32-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 8 of the subdivision entitled SOUTH CIVIC ADDITION, as recorded in Plat Book 22, Page 71, and as conveyed to Elizabeth S. Miller, by deed of record in Instrument Number 200206130146642, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at an iron pin found marking the southeast corner of said Lot 8 in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 162+14.16;

Thence North 85 deg. 07 min. 37 sec. West, a distance of 8.32 feet along the southerly line of said Lot 8, to the **Point of True Beginning** of the herein described parcel, being 38.00 feet left of centerline station 162+11.85;

Thence continuing North 85 deg. 07 min. 37 sec. West, a distance of 40.31 feet along the southerly line of said Lot 8, to a point being 76.77 feet left of centerline station 162+00.79;

Thence the following five (5) courses and distances across said Lot 8;

1. Thence North 06 deg. 19 min. 21 sec. East, a distance of 35.20 feet to a point being 85.54 feet left of centerline station 162+34.98;
2. Thence South 83 deg. 40 min. 39 sec. East, a distance of 5.82 feet to a point being 79.90 feet left of centerline station 162+36.42;
3. Thence North 05 deg. 26 min. 14 sec. East, a distance of 3.53 feet to a point being 80.83 feet left of centerline station 162+39.83;
4. Thence South 85 deg. 07 min. 37 sec. East, a distance of 37.24 feet to a point being 45.00 feet left of centerline station 162+50.00;
5. Thence North 20 deg. 43 min. 23 sec. East, a distance of 45.39 feet across said Lot 8 to a point in the northerly line of said Lot 8, being 45.00 feet left of centerline station 162+95.39;

Thence South 85 deg. 07 min. 37 sec. East, a distance of 7.28 feet along the northerly line of said Lot 8, to a point being 38.00 feet left of centerline station 162+97.37;

Thence South 20 deg. 43 min. 23 sec. West, a distance of 85.49 feet across said Lot 8 to the **Point of True Beginning**, containing 0.047 acres, more or less.

EXHIBIT A

2 of 2
CIP 08-009
PARCEL 32-T
PROJECT DUBLIN MUP
Version Date 05/18/12

Of the above described area, 0.047 acres are contained within Franklin County Auditor's Parcel 273-000157.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 200206130146642, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



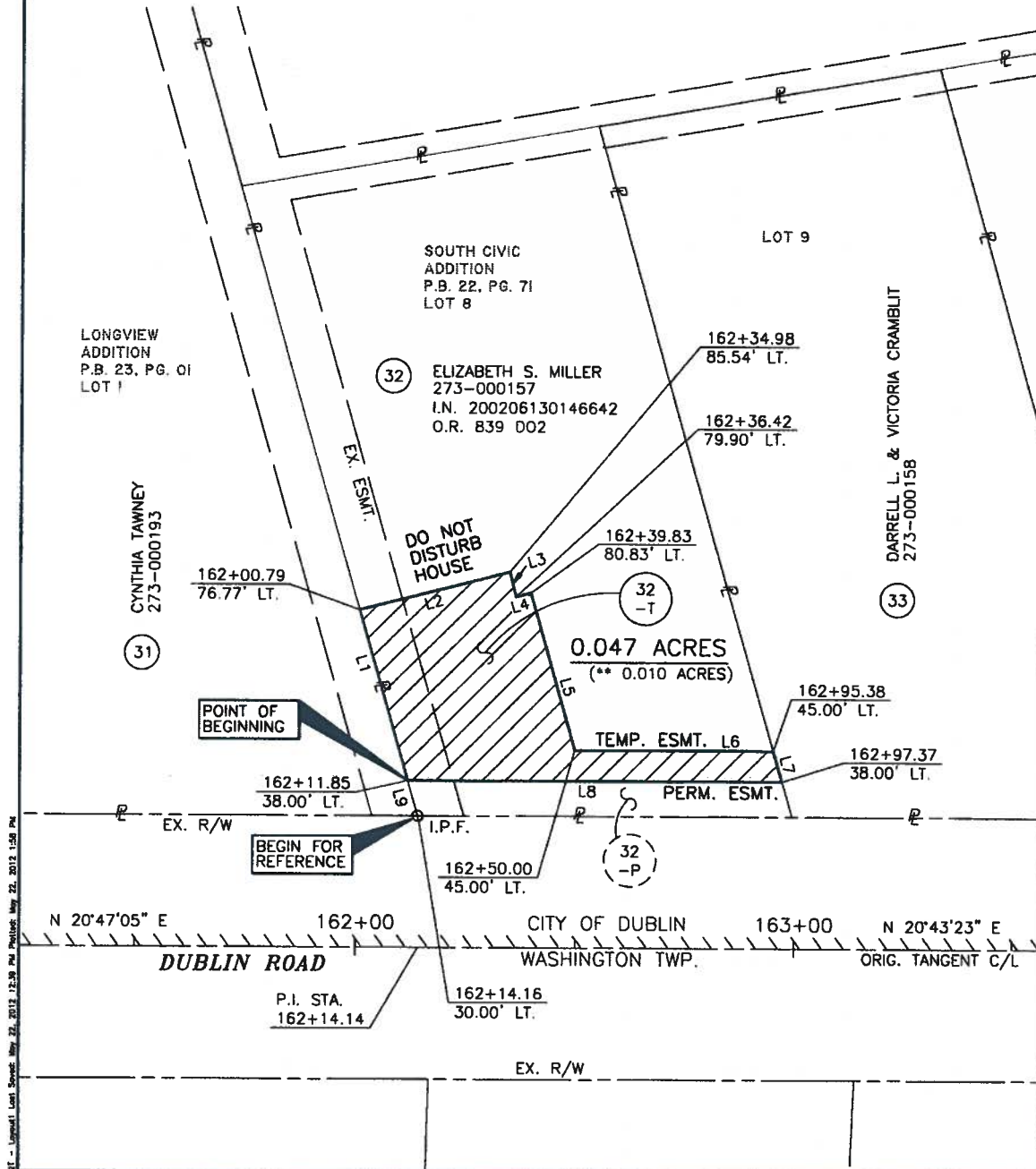
STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 5/22/12
Registered Surveyor No. 7191 Date

EXHIBIT B

| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L1 | N 85°07'37" W | 40.31' |
| L2 | N 06°19'21" E | 35.20' |
| L3 | S 83°40'39" E | 5.82' |
| L4 | N 05°26'14" E | 3.53' |

| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L5 | S 85°07'37" E | 37.24' |
| L6 | N 20°43'23" E | 45.39' |
| L7 | S 85°07'37" E | 7.28' |
| L8 | S 20°43'23" W | 85.49' |
| L9 | N 85°07'37" W | 8.32' |



MONUMENT LEGEND

- ◻ R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- ◻ MONUMENT BOX
- 3/4" IRON PIN SET

** PORTION OF THE PROPOSED EASEMENT
LYING WITHIN AN EXISTING EASEMENT

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE
PLANE GRID BEARINGS FROM THE OHIO COORDINATE
SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED
USING G.P.S. METHODS THROUGH THE FRANKLIN
COUNTY ENGINEER'S STATIONS "FRANK 73", AND
"FCGS 6642 RESET".



PARCEL 32-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



SCALE IN FEET
Prepared By



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383



Steven E. Rader 5/22/12
Registered Surveyor #7191 Date